



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>DELAWARE REAL ESTATE COMMISSION</b>
<b>MEETING DATE AND TIME:</b>	<b>Tuesday, May 26, 2009 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
<b>MINUTES APPROVED:</b>	June 11, 2009

**MEMBERS PRESENT**

Christopher J. Whitfield, Professional Member, Chairman  
Ricky H. Allamong, Professional Member, Vice-Chairman  
Patricia O'Brien, Public Member, Secretary  
Denise R. Stokes, Public Member  
Gilbert Emory, Public Member  
Vincent M. White, Professional Member  
Andrew Staton, Professional Member

**DIVISION STAFF/ DEPUTY ATTORNEY GENERAL**

Eileen Heeney, Deputy Attorney General  
Gayle Melvin, Administrative Specialist III

**MEMBERS ABSENT**

James C. Brannon, Jr., Public Member  
James L. Givens, Professional Member (recused)

**ALSO PRESENT**

Maria Rojas  
Leticia Villabona  
Gary Dodge  
Barbara Gadbois, Deputy Attorney General  
J. David Villabona  
Glenn Mandalas, Esquire  
Jean Betley, Investigator  
Anthony Kemmerlin, Investigator  
Anne Swayner, Court Reporter for Mr. Villabona

## **CALL TO ORDER**

Mr. Whitfield called the meeting to order at 9:37 a.m.

## **HEARING**

### **Deliberations on Case #02-01-09 Against John D. Villabona A/K/A J. David Villabona**

Mr. Whitfield called the continued formal hearing to order at 9:38 a.m. This hearing was held to receive evidence in the matter of Case #02-01-09 against John D. Villabona a/k/a J. David Villabona. Mr. Givens in his capacity of contact person for the complaint was recused from the proceedings.

Ms. Gadbois stated that the State objected that Mr. Villabona had hired a court reporter to record the Commission's deliberations. Mr. Mandalas responded to Ms. Gadbois' objection. Mr. Whitfield stated that after consideration, the court reporter would be allowed to record the Commission's deliberations.

The Commission went off the record at 9:57 a.m. to hold deliberations.

The Commission recessed from 10:15 a.m. to 10:20 a.m. and from 11:49 a.m. to 12:03 p.m.

The Commission went back on the record at 12:52 p.m.

A motion was made by Mr. Allamong, seconded by Ms. O'Brien that in the case against John D. Villabona a/k/a J. David Villabona, Case 02-01-09, the Commission finds that in paragraph 15 pertaining to the release of the \$28,000 non-refundable deposit; paragraph 16 pertaining to waiver of the home inspection; paragraph 17 (c and d) pertaining to the "Occupancy Prior to Settlement"; paragraph 18 pertaining to the requirement that the buyers deposit \$28,000 within one day of executing the Agreement of Sale; paragraph 19 (a and d) pertaining to the non-refundable deposit; paragraph 20 (c and d) pertaining to the "Occupancy Prior to Settlement"; and paragraph 21 (a and d) pertaining to the language pertaining to the non-refundable deposit in the "Occupancy Prior to Settlement"; the State did not meet its burden of proof and these charges should be dropped. The motion passed unanimously.

A motion was made by Mr. Allamong, seconded by Mr. Staton that in the case against John D. Villabona a/k/a J. David Villabona, Case 02-01-09, the Commission finds that in paragraph 17 (a and b) pertaining to the "Occupancy Prior to Settlement"; paragraph 19 (b and c) pertaining to the non-refundable deposit; paragraph 20 (a and b) pertaining to the "Occupancy Prior to Settlement"; paragraph 21 (b and c) pertaining to the language pertaining to the non-refundable deposit in the "Occupancy Prior to Settlement", the State did meet its burden of proof. The motion passed unanimously.

A motion was made by Mr. Allamong, seconded by Mr. Staton that in the case against John D. Villabona a/k/a J. David Villabona, Case 02-01-09, the license of Mr. Villabona be placed on a minimum of 6 months probation or until he completes three hours of continuing education in the Delaware Landlord Tenant Code and three hours of continuing education in ethics. These hours shall be in addition to the continuing education required for renewal. The probation will automatically end at the conclusion of the six months or upon receipt of Mr. Villabona's continuing education documentation. The motion passed unanimously.

The hearing ended at 1:01 p.m.

**OTHER BUSINESS BEFORE THE COMMISSION** (for discussion only)

There was no other business before the Commission.

**PUBLIC COMMENT**

There was no public comment at this meeting.

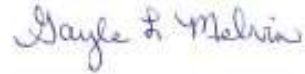
**NEXT SCHEDULED MEETING**

The next meeting will be held on Thursday, June 11, 2009 at 9:00 a.m.

**ADJOURNMENT**

A motion was made by Mr. Staton, seconded by Ms. O'Brien to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 1:03 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gayle L. Melvin". The signature is written in a cursive, flowing style.

Gayle L. Melvin  
Administrative Specialist III